



ఆంధ్ర ప్రదేశ్ రాజ పత్రము
THE ANDHRA PRADESH GAZETTE
PART-VII EXTRAORDINARY
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No. 20]

HYDERABAD, SATURDAY, FEBRUARY 21, 2009.

NOTIFICATIONS RELATING TO THE ADMINISTRATION OF PANCHAYAT RAJ

—X—

STATE ELECTION COMMISSION

DISQUALIFICATION ORDERS FOR FAILURE TO LODGE FINAL ACCOUNTS OF ELECTION EXPENSES IN RESPECT OF CERTAIN CONTESTED CANDIDATES TO THE OFFICE OF WARD MEMBERS OF GUDIVADA MUNICIPALITY, KRISHNA DISTRICT DURING THE 3rd ORDINARY ELECTIONS HELD IN 2005.

No. 608/SEC-F2/2007-1.- WHEREAS, the third ordinary elections to Municipalities were conducted in the month of September, 2005 and the results were declared on 26-09-2005;

AND WHEREAS, under Section 343-ZC of APM Act, 1965 every candidate at any election held under this Act shall, either by himself, or by his election agent, keep a separate and correct account of all expenditure incurred in connection with the election, between the date of which the candidate concerned has been nominated and the date of declaration of the result of the election, both dates inclusive and the account of election expenses shall contain such particulars, as may by order, specified by the State Election Commission;

AND WHEREAS, the State Election Commission in its order No. 633/SEC-F1/2005, dt: 03-08-2005 prescribed the procedure and formats in which the accounts of election expenditure shall be maintained by the candidates.

AND WHEREAS, under Section 343-ZD of APM Act, 1965 every contesting candidate at an election shall, within forty five days from the date of declaration of results of the election, lodge with the District Election Authority, an account of his election expenses, which shall be a true copy of the account kept by him, or by his election agent, under Section 343-ZC.

AND WHEREAS, the period of 45 days from the date of declaration of results of ordinary elections to Municipalities expired on 09-11-2005;

AND WHEREAS, as per the SECs order No.633/SEC-F1/2005, dt. 03-08-2005, the Collector and District Election Authority, Krishna District has sent a report to the State Election Commission furnishing a list of contested candidates of Gudivada Municipality, who failed to lodge final accounts of election expenses within the stipulated time of 45 days to the State Election Commission to take necessary penal action as per the provisions of APM Act, 1965 and Rules issued there under;

AND WHEREAS, under Section 15 B of APM Act, 1965 read with the Commission Order No. 633/SEC-F1/2005, dt. 03-08-2005 the State Election Commission issued show cause notices vide No. 608/SEC-F2/2007, dt. 19-05-2007 to the contested candidates in Gudivada Municipality who failed to lodge final accounts of election expenses within the stipulated time and in the manner required under the Act and the rules calling upon them to show cause within 20 days from the date of receipt of the notices as to why they should not be disqualified under the provisions of Section 15-B of APM Act, 1965 for their failure;

AND WHEREAS, the Collector & District Election Authority, Krishna in his report dt.11-06-2008 stated that 4 defeated candidates have submitted election expenditure accounts after service of show-cause notice on them.

AND WHEREAS, the State Election Commission requested the Collector to report whether they have any material evidence or credible material justifying their delay in submission of election expenditure account.

AND WHEREAS, the State Election Commission received a report from the Collector and District Election Authority, Krishna District vide his letter No. H1/2163/2007, dt 29-01-2009 informing that Sri Yeraparathi Arjuna Rao, a defeated candidate from ward No. 4, Sri Avadanam Malli Babu, a defeated candidate from ward No. 4, Sri Peddinti Benarji, a defeated candidate from ward No. 10 and Sri Tenkala Seshu Babu, a defeated candidate from ward No. 7, have neither responded to the notices issued by the Municipal Commissioner, Gudivada nor produced medical certificates or any other credible material or incontrovertible evidence to justify their late submission of their election expenditure account and recommended that the above (4) contested (defeated) candidates may be disqualified for contesting in future elections as per elections laws.

AND WHEREAS, the said candidates have thus not furnished any reason or satisfactory explanation for their failure even after due notice to each of them and the Commission is satisfied that they have no good reason or justification for the said failure;

AND WHEREAS, the State Election Commission is satisfied that each of the contested candidate had contested the third ordinary elections held in 2005 to Gudivada Municipality and failed to lodge the account of his/her expenses as required by law;

NOW THEREFORE, in pursuance of Section 15-B of APM Act, 1965, the State Election Commission hereby, declares the (4) contested (defeated) candidates i.e., (1) Sri Yeraparathi Arjuna Rao, ward No. 4, (2) Sri Avadanam Malli Babu, ward No. 4, (3) Sri Peddinti Benarji, ward No. 10, (4) Sri Tenkala Seshu Babu, ward No.7 of Gudivada Municipality, to be ineligible for a period of 3 years from the date of issue of this order to contest any election to be held for any office under the provisions of APM Act, 1965.

Secunderabad,
19-02-2009.

J. SUDHA RANI,
Secretary.

To,

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| <ol style="list-style-type: none"> 1. Sri Yeraparathi Arjuna Rao, ward No. 4 2. Sri Avadanam Malli Babu, ward No. 4 3. Sri Peddinti Benarji, ward No. 10 4. Sri Tenkala Seshu Babu, ward No. 7 | } | contested (defeated) candidates of Gudivada Municipality (to be served through the Collector and District Election Authority, Krishna). |
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